

**IN THE UNITED STATES DISTRICT COURT FOR  
THE EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION AT ST. LOUIS**

BRIDGECREST ACCEPTANCE	)	
CORPORATION, an Arizona Corporation,	)	
	)	
Plaintiff/Counter-claim Defendant,	)	
	)	
v.	)	Civil Action No. 4:21-cv-01096-JCH
	)	
RICHARD SADDLER,	)	
	)	
Defendant/Counter-claim Plaintiff,	)	
	)	
RICHARD SADDLER	)	
	)	
Third-party Plaintiff	)	
	)	
v.	)	
	)	
DRIVETIME AUTOMOTIVE	)	
GROUP, INC., a Delaware Corporation,	)	
SILVERROCK GROUP, INC., a Delaware	)	
Corporation, and CARVANA, LLC, an	)	
Arizona Limited Liability Company,	)	
	)	
Third-party Defendants.	)	
_____	)	

**MOTION FOR EXTENSION OF TIME**

Bridgecrest Acceptance Corporation (“Bridgecrest”), DriveTime Automotive Group, Inc. (“DriveTime”), SilverRock Group, Inc. (“SilverRock”), and, Carvana, LLC (“Carvana”) (collectively, the “Corporate Parties”), by and through undersigned counsel, and pursuant to Federal Rule of Civil Procedure 6(b)(1), respectfully move this Court to extend their time to respond to Defendant, Richard Saddler’s (“Saddler”) Amended Answer and Third-party Counter Complaint (Doc. 16). Good cause exists to extend the Corporate Parties’ time to respond. In support of this Motion, the Corporate Parties state:

1. On September 2, 2021, Saddler filed his Notice of Removal, purporting to remove this litigation to this Court and asserting claims against the Corporate Parties;

2. On September 29, 2021, the Corporate Parties filed their Motion and Memorandum of Law to Remand this case back to the Circuit Court for St. Louis County, Missouri because: (i) Saddler's Counter-complaint cannot serve as the basis for removal jurisdiction; (ii) Saddler fails to establish any federal question subject matter jurisdiction pursuant to 28 U.S.C. 1331; and (iii) the Notice of Removal was untimely. (Mot., Doc. 8; Mem. Law, Doc. 9, pp. 4–8);

3. On November 15, 2021, Saddler filed an Amended Answer and Third-party Counter Complaint (Doc. 16);

4. This Court's resolution of the Corporate Parties' Motion to Remand will likely abrogate the need for them to respond at all to Saddlers' Amended Answer and Third-party Counter Complaint, at least in this venue;

5. As such, the Corporate Parties request that their deadline to respond to Saddler's Amended Answer and Third-party Counter Complaint be extended to fifteen (15) days after the Court rules on its Motion to Remand; and

6. There is currently no Case Management Order entered in this litigation or a set trial date, and the Corporate Parties' requested extension will not delay the prosecution of this action.

**WHEREFORE**, the Corporate Parties request that this Court:

- (A) grant this Motion for Extension of Time;
- (B) extend the time for them to respond, if necessary, to Saddler's Amended Answer and Third-party Counter Complaint until fifteen (15) days after the Court rules on their Motion to Remand; and
- (C) grant any other relief it deems just and proper.

This 29th day of November, 2021.

Respectfully submitted,

s/ M. Thomas McFarland

William A. Brasher (Mo. Bar #30155)

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*Counsel for Bridgecrest Acceptance Corporation,  
Carvana, LLC, SilverRock Group, Inc., and  
DriveTime Automotive Group, Inc.*

**CERTIFICATE OF SERVICE**

I hereby certify that on November 29, 2021, a copy of the foregoing was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U.S. Mail. Parties may access this filing through the Court's electronic filing system. The party or parties served are as follows:

Richard Saddler  
413 Genoa Drive  
Manchester, MO 63021

*s/ M. Thomas McFarland*